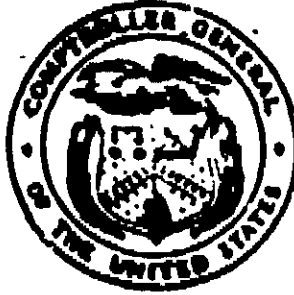


DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548**

Golden
119663

FILE: B-209004

DATE: October 8, 1982

MATTER OF: Bonvicini Building Co.

DIGEST:

Protest filed with GAO more than 10 working days after the protester knew the basis for protest is untimely and will not be considered on the merits.

Bonvicini Building Co. (BBC) protests the rejection of its bid under project No. ICT78656, for courthouse conversion and modernization, issued by the General Services Administration (GSA). BBC's bid was rejected as nonresponsive because the bid did not comply with a solicitation provision requiring the listing of subcontractors.

Our Bid Protest Procedures require that protests be filed no later than 10 working days after the basis for protest is known or should have been known, whichever is earlier, and define "filed" as "receipt in the General Accounting Office." 4 C.F.R. § 21.2(b)(2) and (3) (1982).

BBC states that it received a letter on August 23, 1982, from GSA advising that its bid was rejected as nonresponsive because BBC's bid did not indicate the specific subcontractor to be used by BBC for three categories of work. Thus, BBC knew the basis of its protest not later than August 23, 1982. Therefore, its protest was required to be filed within 10 working days from that date. Since the protest was not filed with our Office until September 10, 1982, it is untimely. See Kings Electronics Co., Inc., B-205554, December 10, 1981, 81-2 CPD 462.

The protest is dismissed.

J. H. Barclay, Jr.
for Harry R. Van Cleave
Acting General Counsel